

**LSK&D #:** **630-0238 / 4863-5777-8977**  
**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF NEW YORK**

CARMEN AVILA,

Docket No.: 161250/2021

Plaintiff,

## **NOTICE OF REMOVAL**

-against-

EMPIRE INTERNATIONAL, LTD and  
CENTRON APOLONIO,

## Defendants.

Defendants EMPIRE INTERNATIONAL, LTD and APOLONIO CENTRON s/h/a  
CENTRON APOLONIO allege as follows for their notice of removal:

1. On or about December 16, 2021, Plaintiff Carmen Avila, filed a complaint against Empire International, LTD and Centron Apolonio, Exhibit A hereto, in a civil action for money damages in New York Supreme Court, New York County, under index no. 161250/2021.
  2. Defendants Empire International, LTD and Apolonio Centron (sued as Centron Apolonio) served an answer to the complaint on or about February 1, 2022, Exhibit B.
  3. This action is removable to this court under 28 U.S.C. §1441, in that the amount in controversy exceeds the sum of seventy five thousand dollars (\$75,000.00), exclusive of interest and costs, the citizenship of the parties is completely diverse, no defendant is a citizen of New York, and this notice is filed within 30 days of defendants' receiving notification that the amount in controversy is in excess of \$75,000.
  4. Plaintiff was and is a citizen of the State of New York when this action was commenced and, upon information and belief, at the filing of this notice.

5. Defendant Empire International, LTD. is a New Jersey C Corporation having its principal place of business in Secaucus, New Jersey, Hudson County.

6. Defendant Apolonio Centron is a resident of Clifton, New Jersey in Passaic County.

7. The allegations above as to defendants' citizenship were true when the action was commenced and are true when this notice is filed.

8. Neither the Summons nor the Complaint states the amount plaintiff demands as damages. On or about May 19, 2022, Plaintiff served a Response to our Demand for Damages in the amount of \$10 million, Exhibit C. This notice is filed within thirty days of receipt of the plaintiff's Response containing the information that the amount in controversy exceeds \$75,000.

**WHEREFORE**, Defendants, Empire International, LTD and Apolonio Centron s/h/a Centron Apolonio, pray that this action now pending against them in the Supreme Court of the State of New York, New York County, be removed therefrom to this Court.

Dated:           New York, New York  
                  June 2, 2022

Yours, etc.

LESTER SCHWAB KATZ & DWYER, LLP

*s/Alyson B. Belmont*

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Allyson B. Belmont  
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